

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutherford & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and pursuant to Fed. R. Civ. P. 55(c) respectfully requests the Court to set aside the entry of default for the following defendant in the Tierra Amarilla subsection of Section 7:

Martin Romero CHTA-004-0001D

As grounds therefore Plaintiff states:

1. The Clerk’s Certificate of Default with respect to the above-named defendant was entered on March 3, 2008 (Docket No. 9120).
2. The above-named defendant has approved the State’s proposed Consent Order with respect to subfile CHTA-004-0001D.
3. The entry of default with respect to the above-named defendant should be set aside.

WHEREFORE, the Plaintiff State of New Mexico *ex rel.* State Engineer requests the Court to set aside the entry of default for defendant Martin Romero.

DATED: March 12, 2008

Respectfully submitted,

/s/ Ed Newville
EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444 phone
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of March, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM/ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Martin Romero
7329 Yorktown Ave. NE
Albuquerque, NM 87109